



sector
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : BENSON, David L.
SERIAL NO : 09/759,790
FILED : January 12, 2001
TITLE : HYBRID MAIZE PLANT & SEED 34B97

Grp./A.U. : 1638
Conf. No. : 2855
Docket No. : P04810US0

#6/66
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JUN 28 2001

TECH CENTER 1600/2900

TRANSMITTAL LETTER

To the Assistance Commissioner for Patents
ATTENTION: BOX MISSING PARTS
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application with Filing Date Granted, enclosed please find the following documents:

- (1) Combined Declaration and Power of Attorney signed by inventor David L. Benson dated January 5, 2001, originally filed with application on January 12, 2001;
- (2) Fee Transmittal Form authorizing the Commissioner to charge indicated fees and credit any overpayment to Deposit Account 16-1852 under the name of Pioneer Hi-Bred International, Inc.;
- (3) A copy of the Notice to File Missing Parts of Application;
- (4) A copy of date stamped postcard received from Patent Office originally filed fee transmittal dated January 12, 2001;
- (5) A copy of originally filed fee transmittal dated January 12, 2001.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 29 day of May, 2001.

Heidi S. Nebel
Heidi S. Nebel

JUN 01 2001
PATENT & TRADEMARK OFFICE

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 2,206)

Complete if Known

Application Number	09/759,790
Filing Date	January 12, 2001
First Named Inventor	BENSON, David L.
Examiner Name	
Group Art Unit	1638
Attorney Docket No.	P04810US0 PHI 1317

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METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																															
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 16-1852</p> <p>Deposit Account Name Pioneer Hi-Bred International, Inc.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th colspan="4">Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Fee Code (\$)</th> <th></th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td colspan="4">Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td colspan="4">Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td colspan="4">Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td colspan="4">For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td colspan="4">Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td colspan="4">Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td colspan="4">Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td colspan="4">Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td colspan="4">Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td colspan="4">Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td colspan="4">Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td colspan="4">Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td colspan="4">Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td colspan="4">Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td colspan="4">Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td colspan="4">Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td colspan="4">Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,240</td> <td>242</td> <td>620</td> <td colspan="4">Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220</td> <td colspan="4">Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>600</td> <td>244</td> <td>300</td> <td colspan="4">Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td colspan="4">Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td colspan="4">Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td colspan="4">Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td colspan="4">Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>710</td> <td>246</td> <td>355</td> <td colspan="4">Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>710</td> <td>249</td> <td>355</td> <td colspan="4">For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>710</td> <td>279</td> <td>355</td> <td colspan="4">Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td colspan="4">Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> <td colspan="4"></td> <td></td> </tr> <tr> <td colspan="4">*or number previously paid, if greater; 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<p>SUBMITTED BY</p> <table border="1"> <tr> <td>Name (Print/Type)</td> <td>Heidi S. Neble</td> <td>Registration No. (Attorney/Agent)</td> <td>37,719</td> <td>Telephone</td> <td>515-288-3667</td> </tr> <tr> <td>Signature</td> <td colspan="4"></td> <td>Date</td> <td>5/29/01</td> </tr> </table>				Name (Print/Type)	Heidi S. Neble	Registration No. (Attorney/Agent)	37,719	Telephone	515-288-3667	Signature					Date	5/29/01	Complete (if applicable)																																																																																																																																																																																																																																																																																		
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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105 JUN 28 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/759,790	01/12/2001	David L. Benson	P04810US0 PHI 1317

CONFIRMATION NO. 2855

27142

ZARLEY, MCKEE, THOMTE, VOORHEES & SEASE
ATTN: PIONEER HI-BRED
801 GRAND AVENUE, SUITE 3200
DES MOINES, IA 50309-2721

FORMALITIES LETTER



OC000000005928541

Date Mailed: 04/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/04/2001 AOSMAN1 00000015 161852 09759790

01 FC:102
02 FC:103

1280.00 CH
216.00 CR

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$216.
 - \$216 for 12 total claims over 20.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1056.**

Adjustment date: 06/06/2001 AOSMAN1
06/04/2001 AOSMAN1 00000015 161852 09759790
02 FC:103
216.00 CR

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 06/06/2001 AOSMAN1
06/04/2001 AOSMAN1 00000015 161852 09759790
01 FC:102
1280.00 CR

09759790
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130.00 CH
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01 FC:105



RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: BENSON, David L.
SERIAL NO.: NEW PATENT APPLICATION
TITLE: HYBRID MAIZE PLANT & SEED 34B97

Receipt is hereby acknowledged of the accompanying:

- Utility Patent Application Transmittal
- Fee Transmittal Form (Payment charged to PHI Deposit Account)
- Request and Certification Under 35 U.S.C. 22(b)(2)(B)(1)
- Specification (54 pages)
- Executed Declaration (yes) (no) (2 pages)
- Information Disclosure Statement (2 pages)
- PTO Form 1449 with copies of all cited art
- Express Mail Certification (Label EL745292002US)



On January 12, 2001 the above described documents were mailed to the Assistant Commissioner for Patents, Box New Application, Washington, D.C. 20231
P04810US0 P020-778 PHI 1317 - pw-HSN

EFS